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UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

IN THE MATTER OF	)	
	)	
DAVID L. REDLER D/B/A TREE N'	)	IF&R Docket No. VII-1185C-
TURF LAWNSCAPES,	)	93P
	)	
Respondent	)	

SECOND REISSUANCE OF ORDER TO SHOW CAUSE

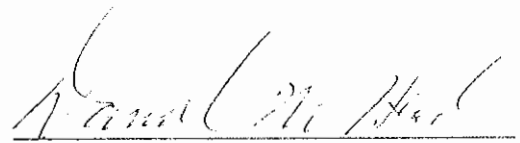
An Order to Show Cause was initially issued on July 18, 1994 and reissued on August 3, 1994. The reissued Order, which was served by certified mail, was returned as refused on August 18, 1994. The attempted service was made on the Respondent at his address of record in Nebraska. However, Complainant in a letter of August 3, 1994, noted that the Respondent's current address is a post office box in Dillon, Colorado. As a result, this Order constitutes a second reissuance of the Order to Show Cause and it will be served on the Respondent at the Colorado address. Moreover, since that Colorado address is a post office box, this reissuance of the Order to Show Cause is being served by regular mail, rather than by certified mail. Further, the compliance date for the Respondent to show cause is being extended appropriately below.

On July 14, 1993, Complainant filed a motion for default order and supporting documentation. The basis for the motion for default order is that the Respondent failed to file its

prehearing exchange on July 7, 1993,<sup>1</sup> as required by the Order Setting Prehearing Procedures. Respondent did not submit any reply to the motion for default order within the time permitted under Section 22.17(a) of the EPA Rules of Practice, 40 C.F.R. 22.17(a).

In light of the above, Respondent is ordered to show cause on or before September 30, 1994, as to why Respondent failed to file its Prehearing Exchange by the July 7, 1993 deadline, and as to why the Complainant's motion for default order should not be granted.

SO ORDERED.

  
Daniel M. Head  
Administrative Law Judge

Dated: August 31, 1994  
Washington, DC

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<sup>1</sup> May 5, 1993 was the date set for the prehearing exchange in the Order Setting Prehearing Procedures, but this was extended to July 7, 1993 by agreement of the parties.

IN THE MATTER OF DAVID L. REDLER d/b/a TREE N' TURF LAWNSCAPES,  
Respondent  
IF&R Docket No. VII-1185C-93P

CERTIFICATE OF SERVICE

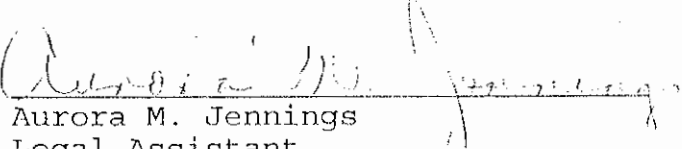
I certify that the foregoing Second Reissuance of Order To Show Cause, dated Aug. 31, 1994, was sent in the following manner to the addressees listed below:

Original by Pouch Mail to: Venessa Cobbs  
Regional Hearing Clerk  
U.S. Environmental Protection  
Agency, Region VII  
726 Minnesota Avenue  
Kansas City, KS 66101

Copy by regular mail to:

Counsel for Complainant: Julie M. Van Horn, Esquire  
Associate Regional Counsel  
U.S. Environmental Protection  
Agency, Region VII  
726 Minnesota Avenue  
Kansas City, KS 66101

Respondent: Mr. David L. Redler  
Box 4080  
Dillon, CO 80435

  
Aurora M. Jennings  
Legal Assistant  
Office of the Administrative  
Law Judges

Dated: August 31, 1994  
Washington, DC